



The Town of Hilton Head Island Regular Public Facilities Committee Meeting

Tuesday, May 4, 2010

2:00 p.m. – Benjamin M. Racusin Council Chambers

AGENDA

As a Courtesy to Others Please Turn Off All Cell Phones and Pagers during the Meeting

- 1. Call to Order**
- 2. Freedom of Information Act Compliance**
Public notification of this meeting has been published, posted, and mailed in compliance with the Freedom of Information Act and the Town of Hilton Head Island requirements.
- 3. Committee Business**
 1. Approval of Minutes
 - April 6, 2010
- 4. Unfinished Business**
- 5. New Business**
 - Stormwater Utility – Consideration for Fee Adjustment
- 6. Adjournment**

Please note that a quorum of Town Council may result if four (4) or more of Town Council members attend this meeting.

TOWN OF HILTON HEAD ISLAND PUBLIC FACILITIES COMMITTEE

Date: April 6, 2010

Time: 2:00 P.M.

Members Present: John Safay, George Williams, Drew Laughlin

Members Absent: None

Staff Present: Greg DeLoach, Scott Liggett, Charles Cousins, Brian Hulbert, Darrin Shoemaker, Bob Klein, Susan Simmons

Others Present: Tom Peeples, *Mayor*, Ken Heitzke, Bill Ferguson, Bill Harkins, *Councilmen*, Mark Baker, Chairman, Public Art Committee, Michael Marks, *Coastal Discovery Museum*.

Media Present: None

1. Call to Order.

The meeting was called to order at 2:00 P.M.

2. FOIA Compliance:

Public notification of this meeting has been published, posted and mailed in compliance with the Freedom of Information Act and the Town of Hilton Head Island requirements.

3. Committee Business:

Councilman Williams moved to approve the Minutes of March 2, 2010. Councilman Laughlin seconded. The Minutes of March 2, 2010 were unanimously approved.

4. Unfinished Business:

5. New Business

• **Proposed Ordinance 2010-06 Special Events, Waiver of Fees**

Brian Hulbert, Staff Attorney stated staff recommends the Public Facilities Committee recommend to Town Council they approve the first reading of the Proposed Ordinance Number 2010-06, amending Section 17-12-128 (Waiver of Fees) of the Municipal Code.

These changes will allow the Town Manager to waive fire code fees, inspection fees, and permit fees for events and special events which are solely sponsored and operated by an organization which is exempt from federal income taxation under section 501(c) of the Internal Revenue Code.

After a brief discussion, Councilman Laughlin moved the Committee recommend to Town Council that they approve the first reading of Proposed Ordinance

Number 2010-06, amending Section 17-12-128 (Waiver of Fees) of the Municipal Code. Councilman Williams seconded. The motion passed unanimously.

• **Proposed Ordinance 2010-07 Fees and Permits, Waiver of Fees**

Brian Hulbert, Staff Attorney stated this is the sister amendment that goes into effect that allows the Town Manager under Title 17 to waive those fees. The fees are imposed under Title 15 which requires the tent fee, the fire inspection fee, etc. By changing Title 15, it gives the Town Manager authority to waive the fees.

Councilman Laughlin moved the Committee recommend to Town Council that they approve the first reading of Proposed Ordinance Number 2010-07, amending Section 15-5-211(c) (Waiver of Fees) of the Municipal Code. Councilman Williams seconded. The motion passed unanimously.

• **Public Art Exhibition at Honey Horn – Funding Request**

Mark Baker, Chairman of the Public Art Committee stated the Public Art Program was started in 2004 when the Town asked the Community Foundation of the Lowcountry if they would be willing to create a public art fund. That was done in 2004 and the purpose of that fund was to acquire public art for placement in the public realm on the Island. Over the last several years, the Program has begun to advance and move forward. The first public art acquisition was the design and casting of the Charles Fraser statue and alligator which has been completed, acquired and will be unveiled on April 17th. The second stage of this Public Art Program is to create other ways to acquire public art. That is why we are here before you today. The Committee has begun early stages of planning a public art event which will occur in the fall of 2011. It will be an outdoor art exhibition and sculpture competition. Artists will be invited from throughout the Country to participate in this event. The goals of the program are three-fold: 1) raise funds for public art on Hilton Head Island; 2) attract visitors through events that are art related to Hilton Head Island; and, 3) raise awareness regarding the Island's position as an art community and raise awareness for the Public Art Program which will further assist us in fundraising, but more importantly improve the quality of life of all the residents and visitors here by placing public art in the public realm and strengthening the position the Island plays as an art based community.

The event that we are here to seek support for is the Public Art Exhibition/Outdoor Sculpture Competition in the fall of 2011. It will be held at Honey Horn. Michael Marks is part of our Committee and has helped us pick the date for the event. It will run for six weeks. The goal is to have events that will help strengthen our shoulder season and also overlap with other events so that there are other activities happening at Honey Horn. We will select artists throughout the Country that will enter into this Competition and display work for this period of time. The event will be an outdoor exhibition and sculpture competition from which one piece of art will be purchased at the end of the show and that piece will be placed in the public realm on Hilton Head Island and turned over to the Town. We have formed partnerships with many other institutions and agencies on the Island as well as in the private sector. Art Galleries, both Jack Morris and Walter Palmer have expressed interest in helping advance the program and we are working to extend those partnerships to others. We are going to

continue the fundraising phase throughout the next 12-18 months through outreach to corporations and private individuals who might support the arts. We very much intend to reach out to the community to get additional support. There will be special events throughout the show beginning with an artist reception. Our hope is to advance this event now so that we can prepare the artist selection material and get that out to artists before the fall of 2010 so they will have a year to prepare art.

The Chamber of Commerce is very excited about being partnered with the Public Art Committee and we are beginning to lay the foundation for their assistance in promotion and branding for the program.

We are here to seek funding from the Town over a two year period for \$75,000, half one year and half the second year.

Councilman Williams stated it was his understanding the ATAX money they got for advertising was only available this year. How are those dollars going to be funneled into this and used this year when the project is in 2011? Carolyn Torgerson, Vice President for Marketing and Communications for the Community Foundation of the Lowcountry stated their portion of the Chamber of Commerce's ATAX grant request of the overall funding boils down to about approximately \$21,000. How we are using the money will be used to do a lot of the branding associated with the event, collateral material development and eventually micro site development, a web site that will be connected directly with the Community Foundation's site as well as the Chamber's web site.

Councilman Williams also voiced his concern about the selection of the piece to be purchased since art is in the eye of the beholder. How do we assure ourselves that whomever selects this doesn't go off the deep end so to speak. Mr. Baker stated they are pleased to have the policy that was originally written by the Town of Hilton Head Island for the Public Art Program which has now been adopted. Mr. Baker pointed out to the Committee two documents in their Agenda packets, one which is the Town of Hilton Head Island's Public Art Program Policy and the other one is on the Community Foundation of the Lowcountry's letterhead. The acquisition and selection of art is subjective. It must be community based and must reflect the desires and the will of the Community. It is going to be a fun process and we look forward to advancing that part of the Program. We have heard nothing but great comments about the first piece of public art which is being placed on Hilton Head. We don't know whether the next piece of art will be a memorial, perhaps more environmental in its orientation or educational. We look forward to a very exciting and dynamic process of art selection.

Chairman Safay said he had some specific questions regarding the concept of expenses and instead of reviewing all of them; they would review what they had questions on.

Councilman Williams questioned the item listed as "Workshop Fees" and wanted to know whether it was a Workshop for locals here. Christy Calloway stated that they were for locals and tourists and there was going to be a lot of activities built

in partnership with the local organizations so we have a lot of events happening around the actual exhibition.

Councilman Williams asked what “creative development” was. Ms. Calloway advised that creative development was a portion of what will be covered from the ATAX budget. It is the branding and logo development.

Ms. Calloway spoke regarding “artist stipends.” It is recommended that stipends be offered to assist some of the artists with transporting their pieces to different locations for display.

Councilman Williams asked what the “curator fee” was. Ms. Caloway advised that the Curator is essentially responsible for all communications with the artists, ensuring the art is placed in a reasonable manner, easy to function manner and visually pleasing manner. The Curator will oversee the care and maintenance of all the pieces during the course of the event.

Councilman Williams asked about “artist housing.” Ms. Calloway stated that they are hoping to have a lot of that donated. If we can assist in the housing of the artists we might get a broader field to come to the event.

Councilman Laughlin questioned whether the draft budget represents one event. Ms. Calloway said correct – other than the fact that a lot of the planning that is done in 2010 can be utilized. It is the goal of the Committee to have it be an every other year event. Once the logo is developed and the collaterals are developed we can use a lot of the template material for subsequent years.

Councilman Williams asked how many artists they anticipated showing up. Ms. Calloway said between 10 and 20. It will be invitational and they will be quite selective. They are working closely with The American Sculpture Society as well as Brookgreen Gardens which is an internationally recognized exhibition venue for large sculpture.

Chairman Safay said he looks at it as incubator funding. We have a lot of questions that we simply don’t have the answers to, but we certainly have the right people who are committed. Chairman Safay stated the document says “appointment to the Public Art Committee shall be made by the Trustees of The Community Foundation and consist of 9-13 members selected from the Community.” It doesn’t appear that there are any criteria for those people. Ms. Torgenson stated the goal was to make it a little more grey at least initially because the first goal of the Public Art Fund was fundraising. The Community Foundation opted to comprise that particular Committee with Board Members of the Community Foundation, former Board Members of the Community Foundation and members of the Community that had a high level of interest in the Arts, but also a strong fund raising background. Chairman Safay said what he doesn’t see is that it sounds like the Town of Hilton Head Island is no longer in the loop. Ms. Torgenson stated the Town of Hilton Head Island does have membership on the Committee as Randy Nicholson sits on the Committee. Chairman Safay stated he would not suggest the Town have veto power over the selection of the art as that would be an intrusion, but would like to see the Town

in the loop somewhere. Ms. Torgenson said they wholeheartedly agree because if we are going to put this in the public realm, the public is the Town and the Town needs representation.

Chairman Safay asked for comments from the public. Councilman Heitzke asked how much they were talking about for in kind support, security and site prep. Mr. Baker said what they are seeking support for and what the Public Art Committee's agreement with the Town laid out was that the Town would provide assistance in installing the art in its permanent location. Mr. Heitzke asked how the Community Foundation which is a 501C3 is separated out from the Public Art Committee. Ms. Torgenson stated the Public Art Fund is a fund of the Community Foundation of the Lowcountry so the Community Foundation is the parent organization.

Mayor Tom Peeples stated he was in total support for this. As far as I am concerned we committed to pursue this action at our annual retreat and it is one of our goals. I hope we support it and give it a chance.

Councilman Williams motioned the Public Facilities Committee pass this on to Town Council with a recommendation for approval of the funding as requested. Councilman Laughlin seconded. The motion passed unanimously.

Councilman Safay said that somewhere along the line here I think we should consider codifying that the Town of Hilton Head Island should somewhere be in the loop because this is the money from our citizens and it will also have an impact on their environment and I believe the Town should be somewhere in here. The other thing is that I believe some consideration in the future we may need to look at this and ask ourselves if this is best handled with the Accommodations Tax Funding source with the oversight from the ATAX Committee. Right now you are going through an awkward channel of the Chamber getting funding which is then being channeled from them to you and there are some awkwardness with that which I think can be eliminated if you come directly.

• **Pinckney Island National Wildlife Refuge (NWR) Transportation Study**

Darrin Shoemaker, Traffic & Transportation Engineer stated that recently The U.S. Fish and Wildlife Service that manages both the Savannah National Wildlife Refuge over on the Savannah River as well as Pinckney Island National Wildlife Refuge situated between our Town and the Mainland commissioned Kinley-Horn and Associates, Inc. to do a study relative to transportation improvements. The Town was invited to participate in that study as a stakeholder. Staff participated in a number of rather lengthy comprehensive stakeholder meetings to discuss the various issues at hand. Kinley-Horn and Associates completed the study in January, 2010. The final study has been forwarded to the Town and staff has reviewed the study and we are here today to make some recommendations to the Committee for consideration.

The study makes the following recommendations concerning transportation and access in the Pinckney Island and National Wildlife Refuge.

Short Range

- Improve internal access road intersecting U.S. 278
- Review speed limits on U.S. 278 in the vicinity of Pinckney Island
- Improve the median crossover geometrics to better accommodate vehicle movements
- Provide wayfinding signage and related improvements
- Improve pedestrian and bicycle access to Pinckney Island.

Medium Range

- Construct access road beneath the J. Wilton Graves Bridge on Pinckney Island facilitating median closure.
- Relocate the existing access points to increase available deceleration lane length.
- Identify additional parking.
- Serve Pinckney Island National Wildlife Refuge with transit service.

Mr. Shoemaker stated staff is recommending that the staff comments on the study be considered by the Committee for adoption by Town Council as a formal position on the study toward the development of a perhaps a formal written response.

Councilman Williams questioned whether Beaufort County was also involved. Mr. Shoemaker stated the County was also a stakeholder and participated in the study's development.

Chairman Safay asked what prompted the study. Mr. Shoemaker answered by saying the existing access to the Pinckney Island National Wildlife Refuge leaves a bit to be desired. There was a rather strong concern on the part of the Fish and Wildlife Service that now is the time to consider both short term and long term improvements and they commissioned the study.

Mayor Peebles wanted to remind everyone that this is not in the Town of Hilton Head Island and it would be my recommendation that we need to check with County Staff to find out if they concur with our recommendations so that we just don't send up competing recommendations which will nullify each other.

Councilman Williams moved that the Committee recommend that Town Council authorize the Town Manager to direct staff to provide a response to the U.S. Fish and Wildlife Service in coordination with Beaufort County regarding the proposed improvements at the Pinckney Island National Wildlife Refuge. Councilman Laughlin seconded. The motion passed unanimously.

6. Adjournment:

Councilman Williams moved to adjourn. Councilman Laughlin seconded the motion. The meeting was adjourned at 3:07 p.m.

Respectfully Submitted,

Karen D. Knox
Senior Administrative Assistant

DRAFT

MEMORANDUM

TO: Public Facilities Committee

FROM: Scott Liggett, PE, Director Public Projects & Facilities/Chief Engineer

VIA: Stephen G. Riley, CM, Town Manager

DATE: April 29, 2010

RE: **Stormwater Utility – Consideration for Fee adjustment**

Recommendation:

Staff recommends the Public Facilities Committee endorse a Stormwater Utility Fee of \$108.70/per year per SFU. The proposed Consolidated Municipal Budget for Fiscal Year 2011 necessitates an increase in the Stormwater Utility Fee to \$108.70 in order for proposed revenues to match proposed expenditures.

Summary

The increase from \$83.23 to \$108.70 is necessitated primarily by the execution of service agreements with various planned unit developments (PUDs) in FY 2009 plus additional similar service agreements executed in FY 2010 which has effectively expanded the system over which the Town is responsible. During the course of the last 12 months, a service agreement has been executed with Indigo Run and an agreement is pending with Palmetto Hall. The proposed FY 2011 Storm Water Budget is attached. Additional future fee increases may be required in order to support the out-year's demands, presuming additional service agreements will be executed and that we strive to maintain our current level of service.

Moreover, the \$108.70 fee is required to support additional indebtedness (bond issue or bond anticipation notes) estimated to total \$7 million dollars. This additional indebtedness is necessary to:

- Support the current level of service for the maintenance of the Town's stormwater system, including a limited expansion in the areas of service;
- Complete current projects, including Miller's Pond and Arrow Road;
- Pursue other future projects in the Gumtree Road and Point Comfort Road Areas;
- Secure needed professional consulting services;
- Support the inter-fund borrowing strategy employed during FY 09 and FY 10 for the purpose of funding operation, maintenance and emergency repairs;
- Support maintenance and emergency repairs of road drainage systems no longer maintained to a reasonable level of service by SCDOT and Beaufort County; and,
- Support needs for potential pond dredging operations, including consulting, permitting, and construction.

Background

For fiscal year 2010, the fee had been established to cover the combined total of Debt Service \$1,244,938; the 5% Storm Water Utility Administrative costs \$136,895; the Town's Annual Drainage System Rehabilitation; Maintenance and Monitoring Program, Credits, Education and NPDES II Compliance (\$1,356,101). The cost of these items totals \$2,737,934. That total divided by the former number of SFU's (32,896) resulted in the \$83.23 / SFU fee.

More recently, and at the invitation of Council, several of the PUD's have executed agreements with the Town that create additional responsibilities and costs for the Town. The project oriented, annual, short term (3-5 year) requirements for each of the communities represented by the referenced agreements is approximately \$200,000 - \$300,000. Additional agreements and even greater responsibility are expected, including the potential dredging of lagoons which could be extremely expensive.

As was stated above, increasing the fee to \$108.70 will cover the expenses of the program for one year, and additional increases may be required thereafter.

DRAFT - HHI STORM WATER BUDGET

HILTON HEAD ISLAND - SWU BUDGET		FY 2010	FY 2011 estimated
	04/28/2010 cbg		
	BOND - DEBT SERVICE	1,244,938	1,248,665
	BOND DEBT SVC (proposed) PROFESSIONAL SVCS surveying, environmental, legal, inventory, engineering)	198,000	500,000
	DRAINAGE SYSTEM O&M and Utility Costs	771,000	1,025,000
	CIP - STORM WATER PROJECTS Arrow Road	111,000	170,000
	STAFF COSTS[PLAN REVIEW, SITE INSPECTIONS, CREDIT REVIEWS, SALARIES, BENEFITS]	313,360	324,782
	SHARED PUBLIC EDUCATION, WQ MONITORING, MS4 PERMITTING	93,561	57,000
	TOTAL EXPENDITURES	\$2,731,859	\$3,325,447
	BUDGET SHORTALL	-\$185,616	\$1
	ACTUAL REVENUES FROM COUNTY	\$2,546,243	\$3,325,448
	COUNTY REIMBURSEMENT [ADMINISTRATION COSTS @ 5%]	\$136,894.78	\$178,787.50
	HISTORICAL COUNTY COLLECTION RATE (98%)	\$2,683,137.67	\$3,504,235.00
	COUNTY BILLINGS FOR 2010	\$2,737,895.58	\$3,575,750.00
	CONTINGENCY (???)		
	REQUIRED ANNUAL FEE [IF 32,896 SFU's ON HHI]	\$83.23	\$108.70
	MONTHLY FEE	\$7	\$9
	Professional Services and Neighborhood Flood Control Projects shall be funded through a \$7M bond, creating approx . \$500k of annual debt service		